



UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NUMBER: 10/051,948
APPLICANT: GAYLE ROSENBERG
ELI S. PINE
TITLE: EXPAND-A-PLATTER/TRAY
MAILING DATE: JUNE 7, 2005

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

Express Mail mailing label number: EV 481169420 US

Date of Deposit: JUNE 7, 2005

I, JUDITH L. CAMPIONE, being of full age certify as follows:

1. I am the secretary to Arnold D. Litt, attorney in charge of the prosecution of the above-captioned registration.

2. In that capacity she caused to be mailed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, by Express Mail, the following:

- A. Amendment and Response to Office Communication dated May 16, 2005;
- B. Certificate of Mailing
- E. Postcard to be date stamped and returned

3. All statements made are true and all statements made on information and belief are believed to be true. The undersigned is aware of the fact that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the document and the registration.

Dated: June 7, 2005


JUDITH L. CAMPIONE

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June 7, 2005

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VIA EXPRESS MAIL (EV 481169420US)

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RE: TITLE: - EXPAND-A-TRAY/PLATTER
APPLICATION NO.: 10/051,948
APPLICANT: GAYLE ROSENBERG & ELI S. PINE
AMENDMENT AND RESPONSE TO OFFICE ACTION DATED MAY 16, 2005

Dear Sir:

Enclosed please find an Amendment and Response to Office Action dated May 16, 2005, Certificate of Mailing, and a stamped, self-addressed postcard to confirm receipt regarding the above captioned matter.

Should you have any questions, please feel free to contact me.

Very truly yours,

HERTEN, BURSTEIN, SHERIDAN, CEVASCO,
BOTTINELLI, LITT, TOSKOS & HARZ, L.L.C.

By: _____

ARNOLD D. LITT, ESQ.

ADL:jlc

Enclosures

cc: Gayle Rosenberg
Eli S. Pine

6-8-05

3634
TRW



UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NUMBER: 10/051,948

**APPLICANT: GAYLE ROSENBERG
AND ELI S. PINE**

TITLE: EXPAND-A-TRAY/PLATTER

**AMENDMENT AND RESPONSE
TO OFFICE ACTION
DATED: MAY 16, 2005
TRAVERSE OF RESTRICTION
REQUIREMENT
BEFORE THE EXAMINER
JENNIFER ELEANORE NOVOSAD
ART UNIT: 3634**

Commissioner for Patents
Mail Stop: Non-Fee Amendment
Alexandria, Virginia 22313-1450

Dear Sir:

PRELIMINARY REMARKS:

In a telephone conversation with Examiner Jennifer E. Novosad on May 25, 2005, the amendment to New Claim 5 to make it dependent on New Claim 4 was discussed. It was the undersigned's understanding that the Examiner agreed that the restriction requirement would be withdrawn with regard to Claim 5 in the event it were made dependent upon Claim 4. As such, the only remaining restriction would relate to the method claim of Claim 18. Applicant traverses the restriction requirement with regard to Claim 18 (and claims 19 - 23 dependent thereupon) on the basis that there is no *material difference* whether the separators are inserted into the apertures before or after the frames are slidably affixed together. However, with the assumed allowance of Claim 4 and all claims dependent thereupon, applicant elects the invention as claimed in Claim 4 and all dependent claims therefrom; accordingly applicant cancels claims 18 - 23 as directed to a non-elected method.